

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO**

**UNITED STATES OF AMERICA,**

Plaintiff,

v.

**2018 BUGATTI CHIRON (VIN#: VF9SP3V34JM795083),**

Defendants *in rem*.

**Civil No. 23-1392 (MBA)**

**MOTION TO REQUEST RULING ON URGENT MOTION TO STAY *IN REM*  
PROCEEDINGS [ECF No. 65]**

Claimants Golden Exotics, LLC and Kevin Thobias (“Claimant Thobias,” and together, “Claimants”) move this Court to request a ruling on Claimants’ Urgent Motion For Court Intervention And To Stay In Rem Proceedings [ECF No. 65]. Specifically, Claimants request a ruling on whether this Court will grant a stay on the subject in rem proceedings, and in support state as follows:

1. On or about June 2, 2023, government authorities with the Department of Homeland Security (“DHS”), under the authority granted by the Warrant, seized a 2018 Bugatti Chiron (VIN#: VF9SP3V34JM795083) (the “Vehicle”) belonging to Golden Exotics, LLC, a company in which Claimant Kevin Thobias is the sole member.

2. On August 2, 2023 the Government filed under seal an unsworn declaration (“Declaration”) submitted in support of the complaint [ECF No. 3], which purports to establish probable cause to support the Warrant under which the Vehicle was taken.

3. On October 9, 2024, this Court’s order approved the Joint Proposed Scheduling Timetable [ECF 57].

4. The Joint Proposed Scheduling Timetable provides discovery deadlines, which include a deadline for submission of written discovery by June 16, 2025. *See* [ECF 56].

5. On January 16, 2025, Claimants filed an Urgent Motion For Court Intervention And To Stay In Rem Proceedings [ECF 65].

6. The Government has not opposed such motion to date.

7. On March 21, 2025, Claimants filed a Motion to Grant Unopposed Urgent Motion for Court Intervention and to Stay In Rem Proceedings [ECF 67].

8. Claimants respectfully request this Court to adjudicate the pending motion to stay the *in rem* proceedings prior to the upcoming discovery deadlines to prevent the continued undue hardship and unnecessary expense to Claimants related to discovery that should be stayed and could interfere with or be rendered unnecessary by the resolution of the ongoing criminal investigation on Claimant Tobias.

9. The absence of a ruling will prejudice Claimants to conduct discovery on the same facts related to the subject forfeiture proceedings while the government is still conducting the underlying criminal investigation on Claimant Tobias that caused the subject *in rem* proceedings.

10. Further, in light of the ongoing criminal investigation, a ruling is necessary to preserve the right that Claimant Tobias has to protect himself under the Fifth Amendment in the context of a civil case that may allow a finder of fact to draw an adverse inference from the Claimant's invocation of his Fifth Amendment rights.

11. Claimants understand the circumstances of the court's congested docket and the recent reassignment of the case.

**WHEREFORE**, Claimants very respectfully request from this Honorable Court that it adjudicate, as promptly as it may be feasible, the pending motion to stay the subject in rem proceedings.

**WE HEREBY CERTIFY** that we electronically filed the instant claim using the CM/ECF System, which will send notification to all counsel of record.

Respectfully submitted on June 11, 2025.

/s/ Jonathan Edderai

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